

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA  
vs.  
Israel BARBA

Magistrate's Case No.

COMPLAINT FOR VIOLATION OF

21 U.S.C. 952 and 960

Unlawful Importation of a Controlled Substance

FILED

07 NOV 26 AM 8:39

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

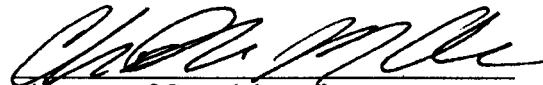
DEPUTY

The undersigned complainant being duly sworn states:

COUNT ONE

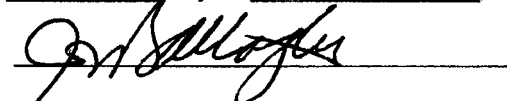
That on or about November 21, 2007, within the Southern District of California, defendant Israel BARBA did knowingly and intentionally import approximately 83.20 kilograms (183.04 pounds) of marijuana, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



Signature of Complainant  
U.S. Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence, this 26th day of November, 2007.



United States Magistrate Judge

(22

1 United States of America  
2 VS.  
3 Israel BARBA

4 STATEMENT OF FACTS

5 On November 21, 2007, at approximately 2215 hours, Israel BARBA entered the United  
6 States from Mexico through the San Ysidro Port of Entry, San Diego, California. BARBA was  
7 the driver, registered owner and sole occupant of a 1998 Chrysler Sebring bearing California  
8 license plate 4FWU278.  
9

10 Officers of Customs and Border Protection (CBP) encountered BARBA during pre-  
11 primary roving operations. BARBA presented a California drivers license and stated he was not  
12 bringing anything from Mexico. During the interview a narcotic detector dog alerted to a  
13 narcotic odor emitting from the vehicle. A cursory inspection of the vehicle resulted in the  
14 discovery of packages wrapped with brown packaging tape under the rear seat. The vehicle and  
15 BARBA were escorted to the vehicle secondary area for further inspection.  
16

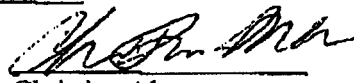
17 In the vehicle secondary area, a total of 37 packages containing approximately 83.20  
18 kilograms (183.04 pounds) of marijuana were found concealed within the vehicle. A  
19 presumptive test of one of the packages revealed a positive reaction to the presence of marijuana.  
20

21 Post Miranda, BARBA stated he was going to Wal-Mart off of Palm Ave. to drop off the  
22 vehicle to an unknown individual. BARBA stated he was to wait at the Wal-Mart until he  
23 received a phone call. BARBA stated he met an unknown individual in Mexico under the  
24 pedestrian bridge when he picked up the vehicle. BARBA stated that he was contacted by an  
25 individual by the name of ALBERTO (LNU) and was directed on where to pick up the vehicle.  
26 BARBA stated he has known ALBERTO for seven or eight months. BARBA stated that a price  
27 was not agreed upon or negotiated for him to drive the vehicle across the border. BARBA stated  
28

1 the vehicle was his, which he has owned for a couple of weeks. BARBA stated he purchased the  
2 vehicle for \$1,500.00 and just recently sold the vehicle to a relative of ALBERTO'S for  
3 \$1,800.00. BARBA stated he was to deliver the vehicle to ALBERTO'S relative. BARBA  
4 denied knowledge to the drugs found in the vehicle.


5 BARBA was arrested and charged with violation of Title 21 USC 952, 960, Unlawful  
6 Importation of a Controlled Substance, and was booked into the Metropolitan Correctional  
7 Center, San Diego, CA.  
8

9  
10 Executed on November 23, 2007 at 10:10 am

11 

12 Christian Alva  
13 Special Agent  
14 U.S. Immigration and  
Customs Enforcement

15 On the basis of the facts presented in the probable cause statement consisting of 1 page, I find  
16 probable cause to believe that the defendant named in this probable cause statement committed  
17 the offense on November 21, 2007 in violation of Title 21, United States Code, Section(s) 952 &  
960.

18   
19 United States Magistrate Judge

20 11/23/07 @ 10:40 a.m.  
21 Date/Time  
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19 \_\_\_\_\_  
United States Magistrate Judge

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Date/Time